

**Appendix 17**



# **ADELAIDE FOOTY LEAGUE**

## **TRIBUNAL REFERENCE MANUAL**

The Laws of Australian Football apply to all matches of the Adelaide Footy League except as modified by the Adelaide Footy League’s Rules, Regulations, Policies, Directions and Procedures.

All Clubs accept the rules contained as described in The League’s Constitution and or Rules and Regulations shall prevail in all circumstances over another League or Association, Tribunal or body whether judicial, quasi-judicial or otherwise including the Australian Football League, the South Australian National Football League and South Australian Community Football League.

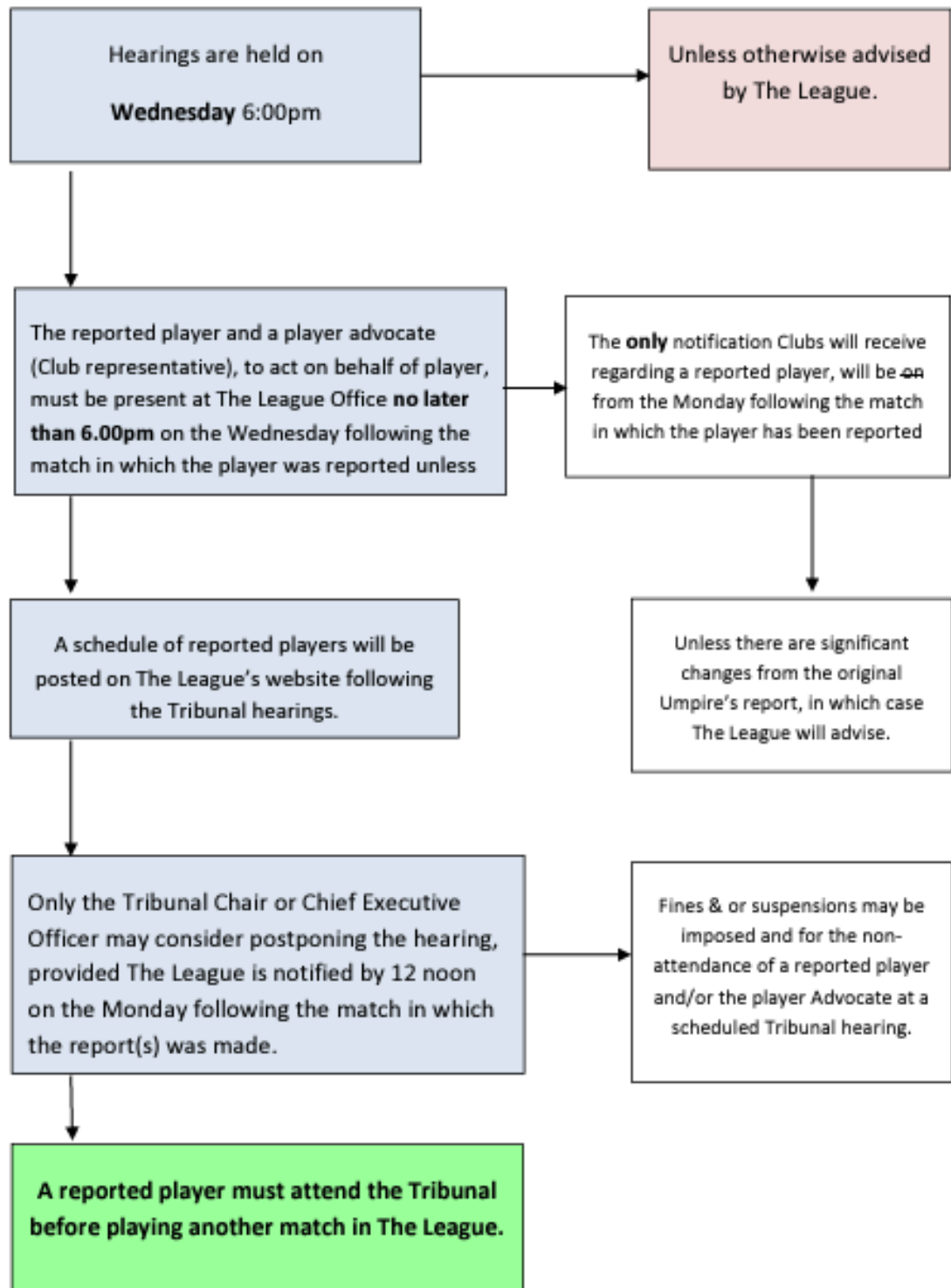
## ORDER OF PROCEEDINGS FOR TRIBUNAL HEARINGS

- The order of these proceedings may change at the Tribunal's discretion.
- The Tribunal may satisfy itself that the person charged has had details of the charge(s).
- The player will be asked if they wish to plead to the charge(s). The player has the option to plead at any time but must plead following the completion of the Umpire's evidence, and that of any Umpire's witness.
- All witnesses will leave the room.
- Umpire's evidence.
- Cross-examination of Umpire by the Tribunal.
- Cross-examination of Umpire by the Player and/or Delegate.
- Evidence of Umpire's witness.
- Cross-examination of Umpire's witness.
- Plea of player
- Evidence of player
- Cross-examination of player by Tribunal
- Comment by the Umpire on the evidence submitted by the player at the discretion of the Tribunal.
- Evidence of player's witness.
- Cross-examination of player's witness by the Tribunal.
- Comments by the Umpire on the evidence submitted by the player's witness at the discretion of the Tribunal.
- Submission by the player or the Delegate/Advocate based upon the evidence presented.
- If a "Not Guilty" plea has been entered:
  - (a) all people other than the Tribunal shall leave the room to allow the Tribunal to determine whether the charge is proven.
  - (b) upon reaching its decision the Tribunal shall recall the Umpire and the person charged.
  - (c) if the player is found "Not Guilty" the Tribunal will be declared closed.
- If the player is found "Guilty" or has entered a plea of "Guilty" the details of the player's record may be read.
- The player or the Delegate/Advocate may make a submission to the Tribunal on the question of penalty.
- All persons who have been called to give evidence shall remain present until all other evidence has been presented to the Tribunal unless otherwise determined by the Tribunal Chair.
- All parties shall again leave the room to allow the Tribunal to make a determination what penalty is to be applied.
- The player charged and the Delegate/Advocate shall then be readmitted and informed of the determination.

### NOTES:

- Evidence must be taken even if the player pleads guilty.
- A plea is always required.
- A plea can be taken at any time until evidence of the player is given.
- At any time, the Chairman and through them the other members of the Tribunal may ask questions of the Umpire, player or witnesses.
- Any person who conducts themselves disrespectfully to the Tribunal during the hearing of a charge may be dealt with in such manner as the Tribunal in its absolute discretion shall deem fit.
- Members of the media may be admitted at the discretion of the Chairman of the Tribunal.
- If two players are reported in the same incident they can be heard at the same time at the discretion of the Tribunal.
- A Delegate/Advocate appearing for the player cannot be a witness giving evidence during the same hearing.

## ORDER OF PROCEEDINGS FOR TRIBUNAL HEARINGS



## PRESCRIBED PENALTIES

### Per Clause 51.13

#### One Match Penalties

- (a) Using abusive, insulting, threatening or obscene language, or an obscene gesture to any other person other than the officiating umpire.
- (b) Engaging in time wasting.
- (c) Throwing or pushing another player after that player has taken a mark, disposed of the football or after otherwise out of play.
- (d) Engaging in a melee, except where a player's sole intention is to remove a team mate from the incident.
- (e) Attempting to trip another player whether by hand or arm.
- (f) Intentionally shaking a goal or behind post when another player is preparing to kick or is kicking for goal or after the player has kicked for goal and the ball is in transit.
- (g) Wrestling another player.
- (h) Failing to leave the playing field when directed to do so by a Field Umpire.
- (i) Wearing boots, jewellery and equipment prohibited under Clause 44 of these Rules and Regulations.
- (j) An act of misconduct.

#### Two Match Penalties

- (k) Engaging in rough conduct against an opponent which in the circumstances is unreasonable.
- (l) Attempting to strike another player.

**CATEGORY A REPORTABLE OFFENCES**

Any of the following types of conduct is considered a Category “A” reportable offence

- (a) intentionally or carelessly:
  - (i) striking another person;
  - (ii) kicking another person;
  - (iii) kneeling another person;
  - (iv) Charging an opponent;
  - (v) engaging in Rough Conduct against an opponent;
  - (vi) bumping or making forceful contact to an opponent from front-on when that Player has their head down over the football;
  - (vii) head-butting or making contact to another person using the head;
  - (viii) making unreasonable or unnecessary contact to the eye region of another person;
  - (ix) making unreasonable or unnecessary contact to the face of another person;
  - (x) scratching another person; or
  - (xi) tripping another person whether by hand, arm, foot or leg;
- (b) eye-gouging another person;
- (c) stomping on another person;
- (d) intentionally making contact with, or striking, an Umpire;
- (e) attempting to strike an Umpire;
- (f) spitting on or at an Umpire;
- (g) behaving in an abusive, insulting, threatening or obscene manner towards or in relation to an Umpire;
- (h) using abusive, insulting or obscene language towards or in relation to an Umpire;
- (i) unreasonable or unnecessary contact with an Umpire;
- (j) carelessly making contact with an Umpire;
- (k) disputing a decision of an Umpire;
- (l) spitting on or at another person;
- (m) attempting to strike another person;
- (n) attempting to kick another person;
- (o) attempting to trip another person whether by hand, arm, foot or leg;
- (p) making unreasonable or unnecessary contact with an injured Player;
- (q) engaging in a Melee;
- (r) instigating a Melee;
- (s) wrestling another person;
- (t) pinching another person;
- (u) engaging in an act of staging;
- (v) using abusive, insulting, threatening or obscene language;
- (w) use of an obscene gesture;
- (x) engaging in Time Wasting;
- (y) interfering with a Player Kicking for Goal;
- (z) intentionally shaking, climbing or otherwise interfering with a goal or behind post;
- (aa) failing to leave the Playing Surface when directed to do so by an Umpire;
- (bb) wearing boots, jewellery and equipment prohibited under Clause 44; or
- (cc) engaging in any other act of misconduct or serious misconduct.

## TRIBUNAL PENALTY PROCEDURE

The Tribunal shall adopt these guidelines in assessing the particular alleged offence and appropriate sanctions for such an offence when the Tribunal finds a player guilty of an offence.

The Tribunal will categorise the level and severity of the offence by determining four (4) factors

- **Conduct** – whether the conduct was intentional or careless (refer below)
- **Impact/circumstance** - whether the impact was severe, high, medium or low (refer below)
- **Contact** - whether the contact was high, to the body, or to the groin. (refer below).
- **Potential to cause Injury**

### CONDUCT

#### 1. CONDUCT (INTENTIONAL OR CARELESS)

##### 1.1 INTENTIONAL CONDUCT

Whether or not a Player intentionally commits a Reportable Offence depends upon the state of mind of the Player when he or she does the act with which they are charged. What the Player did is often the best evidence of the purpose they had in mind. In some cases, the evidence that the act provides may be so strong as to compel an inference of what their intent was, no matter what they may say about it afterwards. If the immediate consequence of an act is obvious and inevitable, the deliberate doing of the act carries with it evidence of an intention to produce the consequence.

*For example, a strike will be regarded as Intentional where a Player delivers a blow to an opponent with the intention of striking them.*

The state of a Player's mind is an objective fact and has to be proved in the same way as other objective facts. The whole of the relevant evidence has to be considered. If the matter is heard by the Tribunal, the Tribunal will weigh the evidence of the Player as to what their intentions were along with whatever inference as to their intentions can be drawn from their conduct or other relevant facts.

The Player may or may not be believed by the Tribunal. Notwithstanding what the Player says, the Tribunal may be able to conclude from the whole of the evidence that the Player intentionally committed the act constituting the Reportable Offence.

## 1.2 CARELESS CONDUCT

A Player's conduct will be regarded as Careless where it constitutes a breach of the duty of care owed by the Player to all other Players.

Each Player owes a duty of care to all other Players, Umpires and other persons (as applicable) not to engage in conduct which will constitute a Reportable Offence being committed against that other Player, Umpire or other person (as applicable). In order to constitute a breach of that duty of care, the conduct must be such that a reasonable person in the position of the Player would not regard it as prudent in all the circumstances.

Further, a Player will be careless if they breach their duty to take reasonable care to avoid acts which can be reasonably foreseen to result in a Reportable Offence.

## 2. IMPACT (LOW, MEDIUM, HIGH OR SEVERE)

In determining the level of impact, regard will be had to several factors.

**2.1** Firstly, consideration will be given to the extent of force and in particular, any injury sustained by the Player who was offended against. A medical report may be provided to assist the Tribunal.

**2.2** Secondly, strong consideration will be given to the potential to cause injury, particularly in the following cases:

- intentional head-high strikes, such as those with a swinging clenched fist, raised forearm or elbow;
- high bumps, particularly with significant head contact and/or Player momentum;
- any head-high contact with a Player who has his head over the ball, particularly when contact is made from an opponent approaching from a front-on position;
- forceful round-arm swings that make head-high contact to a Player in a marking contest, ruck contest or when tackling;
- spear tackles;
- driving an opponent into the ground when his arms are pinned; and
- use of an elbow or raised forearm to strike an opponent.

The absence of injury does not preclude the classification of impact as Severe.

**2.3** Thirdly, consideration will be given not only to the impact between the offending Player and the victim Player, but also any other impact to the victim Player as a result of such impact.

*For example, where a victim player as a result of the impact from the offending player is pushed into the path of a fast-moving third player, the impact to the victim player may be classified as high or severe, even though the level of impact between the offending player and the victim player was only low or medium.*

In addition, consideration will be given to the body language of the offending Player in terms of flexing, turning, raising or positioning the body to either increase or reduce the force of impact.



Low impact (which is the minimum impact required to constitute a Reportable Offence) requires more than just a negligible impact. Most Reportable Offences require at least low impact and a collision or incident involving negligible force will not ordinarily result in a charge.

- 2.4** In addition to the above, the following table provides a summary of applicable base level impact guidelines for Low, Medium, High & Severe Impact incidents:

<b>Impact Guidelines</b>	
Low	Minimal or no impact on the player - the Player continued to play the majority of the match and suffered no or minimal ongoing issues.
Medium	Clearly some impact on the Player, and / or the Player left the field for a lengthy period of time, and/ or some possible lower level ongoing treatment(s) required.
High	Major impact on the Player, and / or the Player was unable to participate in the remainder of the game, and / or major ongoing issues that require medical intervention and / or may miss some matches.
Severe	Major impact and serious injury to the Player, and / or likely to miss a significant number of matches.

Note – These are base level impact guidelines. The impact can be categorised as higher where there is the potential to cause serious injury.

### **3. CONTACT (HIGH / GROIN, BODY)**

- 3.1** High contact is not limited to contact to the head and includes contact above the shoulders.
- 3.2** Contact to the Groin includes contact to the crease or hollow at the junction of the inner part of each thigh with the trunk together with the adjacent region and including the testicles.
- 3.3** Where contact is both High and to the Body, the Tribunal will classify the contact as High. Contact shall be classified as High or to the Groin where a Player's head or groin makes contact with another Player or object such as the fence or the ground as a result of the actions of the offending Player. By way of example, should a Player tackle another Player around the waist and as a result of the tackle, the tackled Player's head made forceful contact with the fence or the ground the contact in these circumstances would be classified as High, even though the tackle was to the body.

## **4. POTENTIAL TO CAUSE INJURY**

- 4.1** Potential to cause injury must be factored into the determination of Impact, particularly in the following cases:
- 4.2** Intentional strikes, such as those with a swinging clenched fist, raised forearm or elbow;
- 4.3** High bumps, particularly with significant head contact and/or Player momentum;
- 4.4** Any head-high contact with a Player who has his head over the ball, particularly when contact is made from an opponent approaching from a front-on position;
- 4.5** Forceful round-arm swings that make head-high contact to a Player in a marking contest, ruck contest or when tackling;
- 4.6** Any contact that occurs when the Victim Player should not reasonably be expecting or is not reasonably prepared for contact (i.e. contact off the ball); and
- 4.7** Any dangerous tackle.

### LEVEL OF OFFENCE

Once the level of offence has been determined it will be used in calculating the penalty.

Penalty reductions **may** be considered by the Tribunal, at its absolute discretion, for the following:

- Early guilty plea and/or genuine remorse shown by offending player
- Offending player has not been found guilty of any reportable offence within the last five (5) years in any match of a League affiliated with The Australian Football League (AFL).

### PENALTY GUIDELINES

Conduct	Striking/Undue Rough Play			Kicking/Headbutting
	Contact	Impact/ Circumstance	Match Penalty (Guideline Only)	Match Penalty (Guideline Only)
Intentional	High/Groin	Severe	8 - 10	10 - 12
Intentional	Body	Severe	7 - 9	9 - 11
Intentional	High/Groin	High	6 - 8	8 - 10
Intentional	Body	High	5 - 7	7 - 9
Intentional	High/Groin	Medium	4 - 6	6 - 8
Intentional	Body	Medium	3 - 4	5 - 7
Intentional	High/Groin	Low	3 - 4	4 - 6
Intentional	Body	Low	2 - 3	3 - 5
Careless	High/Groin	Severe	5 - 6	5 - 8
Careless	Body	Severe	4 - 5	5 - 8
Careless	High/Groin	High	4 - 5	4 - 7
Careless	Body	High	3 - 4	4 - 7
Careless	High/Groin	Medium	3 - 4	3 - 6
Careless	Body	Medium	2 - 3	3 - 5
Careless	High/Groin	Low	2 - 3	2 - 4
Careless	Body	Low	1 - 2	2 - 4
Tripping another person by foot or leg				3 - 5
Charging another person				3 - 5
Engaging in a melee				3 - 6
Spitting at or on another person				5 - 8
Pinning the arms of another and driving their head and or upper body to the ground				3 - 6
Attempting to kick another person				3 - 4
Attempting to trip another person by foot or leg				2 - 3

**NOT WITHSTANDING THE ABOVE GUIDELINES****ALL PENALTIES WILL BE AT THE DISCRETION OF THE TRIBUNAL****Offences against an umpire**

Intentionally or carelessly making contact with an umpire	Discretion of Tribunal
Attempting to make contact with or strike an umpire	Discretion of Tribunal
Using abusive, insulting, threatening or obscene manner towards or in relation to an umpire	3 - 8
Behaving in an abusive, insulting, threatening or obscene manner towards or in relation to an umpire	3 - 8
Disputing a decision of an umpire or failing to leave the playing field when directed to do so by an umpire	2 - 4

**NOT WITHSTANDING THE ABOVE GUIDELINES****ALL PENALTIES WILL BE AT THE DISCRETION OF THE TRIBUNAL****The above penalties are for players only.**

Penalties against officials/coaches will be at the discretion of The Tribunal and will be considered more serious.

The Tribunal reserves the right to adjourn to consider any penalty and deliver the finding at a later point in time.

**Suspended Penalties**

Suspended penalties may be considered with the following guidelines

1. The player has not been found guilty at any previous Tribunal.
2. The offence (if striking) is not considered intentional, high/severe or high/groin.
3. The suspended portion is no greater than 50% of the total penalty. For example:
  - a. Should a player be suspended for four matches and a suspended penalty is considered, it can be no more than 2 matches suspended e.g. 2 served and 2 suspended but NOT 1 served and 3 suspended.
  - b. 5 matches – 3/2, 4/1 but NOT 2 served and 3 suspended.
  - c. 2 matches (minor offences) - can be judged 1 served and 1 suspended.

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### **TRIBUNAL SUMMARY OF REPORTABLE OFFENCE AND MATCH PENALTY**

The Chairman of each Tribunal is to provide a summary to The League of the reportable offence detailing the classification of conduct, impact/circumstance, and contact.

The Chairman of the Tribunal should also summarise any extenuating circumstances which may result in the increase of or reduction in, the match penalty.

### **ADELAIDE FOOTY LEAGUE WEBSITE ADVICE RE MATCH PENALTIES**

The Adelaide Footy League Website advice on match penalties should include:

- Classification of level of offence in relation to conduct, impact/circumstance, and contact.